

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE J.M.JAMES

THURSDAY, THE 2ND NOVEMBER 2006 / 11TH KARTHIKA 1928

Bail Appl..No. 6266 of 2006()

C.R.NO.27/2006 OF MALLAPPALLY EXCISE RANGE

PETITIONER

GOPALA KRISHNAN, AGED 43,
S/O.THANKAPPAN, POIKAIYIL VEEDU,
KUNNATHANAM VILLAGE, MALLAPPALLY.

BY ADV. SRI.P.V.LONACHAN

RESPONDENTS:

STATE OF KERALA, REPRESENTED BY
THE EXCISE INSPECTOR, EXCISE RANGE,
MALLAPPALLY.

BY PUBLIC PROSECUTOR, SRI.P.N.SUKUMARAN

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION
ON 02/11/2006, THE COURT ON THE SAME DAY PASSED THE
FOLLOWING:

J.M.JAMES, J.

B.A. No. 6266 of 2006

Dated this the 2nd day of November, 2006

O R D E R

The petitioner was arrested on 24/09/2006, by the Excise Inspector, Mallappally Excise Range, in C.R.No.27/2006, of that excise range, for the offence punishable under Section 8(1) and 8(2) of the Abkari Act, as he was found in illegal possession of 1.400 litres of illicit arrack.

2. The counsel submits that the petitioner is sick and suffering from hepatitis and, he is undergoing treatment in Medical College Hospital, Thiruvananthapuram, as referred from Taluk Hospital, Kozhenchery.

3. Upon Instructions, the learned Public Prosecutor submits that the petitioner was admitted on 26/09/2006 in Kozhenchery Taluk Hospital, upto 30/10/2006. Thereafter, he is admitted in Medical College Hospital, Thiruvananthapuram.

4. Though, he is accused of another offence and not entitled for bail, because of the continuous admission and treatment of the petitioner, I grant bail to the petitioner and

release him from jail, on his executing a bond for Rs.25,000/-,
(Rupees twenty-five thousand only) with two solvent sureties,
each for the like sum, to the satisfaction of the Judicial
Magistrate of the First Class-I, Thiruvalla.

(J.M.JAMES)
Judge

ms